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14 UNITED STATES DISTRICT COURT  
15  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 BRUCE MACDONALD, Individually and on  
18 Behalf of All Others Similarly Situated,  
19  
20 Plaintiff,

21 v.

22 DYNAMIC LEDGER SOLUTIONS, INC., a  
23 Delaware corporation, TEZOS  
24 STIFTUNG, a Swiss Foundation,  
25 KATHLEEN BREITMAN, an  
26 Individual, ARTHUR BREITMAN,  
27 an Individual, TIMOTHY COOK DRAPER, an  
28 individual, DRAPER ASSOCIATES, JOHANN  
GEVERS, DIEGO PONZ, GUIDO SCHMITZ-  
KRUMMACHER, BITCOIN SUISSE AG,  
NIKLAS NIKOLAJSSEN and DOES 1-100,  
INCLUSIVE,  
Defendants.

Case No. 17-cv-07095-RS

***EX PARTE APPLICATION FOR  
LEAVE TO EFFECT ELECTRONIC  
SERVICE ON NEWLY IDENTIFIED  
ADDRESSES FOR DEFENDANTS  
JOHANN GEVERS AND DIEGO  
PONZ (AKA DIEGO OLIVIER  
FERNANDEZ)***

**APPLICATION**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiff Bruce MacDonald ("Plaintiff") moves this Court pursuant to Rules 4(f)(3) and 4(h)(2) of the Federal Rules of Civil Procedure and Local Rule 7-10 for an order permitting permitting Plaintiff to effect electronic service on non-U.S.-resident defendants: Johann Gevers and Diego Ponz (aka Diego Olivier Fernandez) at additional email addresses newly identified by counsel for the Tezos Foundation.

Yesterday, the Court entered an Order Granting Plaintiff's Ex Parte Application For Leave To Effect Electronic Service On Defendants Resident Outside The United States, which permitted Plaintiff to serve the Swiss Defendants by electronic service at various addresses, which Plaintiff's counsel identified through Internet searches. ECF No. 12 (the "Service Order"). Plaintiff effected service on the Swiss Defendants at those addresses earlier today. *See* ECF No. 14.

Earlier this afternoon, after Plaintiff effected service pursuant to the Court's order, counsel for the Tezos Foundation contacted Plaintiff's counsel and identified two new email addresses for Defendants Gevers and Ponz (aka Diego Olivier Fernandez), stating:

The following addresses are valid for Johann Gevers and Diego Olivier Fernandez, respectively:

johann@gevers.net  
diegoolivierfernandezpons@gmail.com

In an abundance of caution and for all the reasons set forth in his prior application, Plaintiff asks that the Court enter an Order permitting electronic service on Defendants Gevers and Ponz at the additional newly identified email addresses provided by counsel for the Tezos Foundation.

This Application is based on this Application, all of the pleadings, files, and records in this proceeding, all other matters of which the Court may take judicial notice and any additional argument or evidence that may be presented to or considered by the Court prior to its ruling.

DATED: December 15, 2017

**HAGENS BERMAN SOBOL SHAPIRO LLP**

By: /s/ Reed R. Kathrein  
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**CERTIFICATE OF SERVICE**

Pursuant to L.R. 5-5, I certify that on December 15, 2017, I caused to be served copies of the foregoing *EX PARTE* APPLICATION FOR LEAVE TO EFFECT ELECTRONIC SERVICE ON NEWLY IDENTIFIED ADDRESSES FOR DEFENDANTS JOHANN GEVERS AND DIEGO PONZ (AKA DIEGO OLIVIER FERNANDEZ) on the persons listed below at the addresses listed below.

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Dated: December 15, 2017

/s/ Joel Fleming  
Joel Fleming